

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

OCT 14 2015

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

WAYNE MESSEX
and
JOHN TURMAN,

Defendants.

No.

4:15CR468 CDP/SPM

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

[Theft of Government Property]

From in or about October 2014 through in or about December 2014, in the Eastern District of Missouri, the defendants,

WAYNE MESSEX
and
JOHN TURMAN,

willfully and knowingly did steal and purloin white oak timber, of the value of more than \$1,000, of the goods and property of the United States, in that the defendants cut or damaged, without authorization, over 50 trees from Mark Twain National Forest land, all in violation of 18 U.S.C. § 641.

FORFEITURE ALLEGATION

The Grand Jury further finds by probable cause that:

1. Pursuant to Title 18, United States Code, Section 981(a)(1)(C) and

Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation in violations of Title 18, United States Code, Section 641 set forth in Count 1 of this Indictment, the defendants, **WAYNE MESSEX and JOHN TURMAN**, shall forfeit to the United States of America any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation(s).

2. Subject to forfeiture is a sum of money equal to the value of the property constituting, or derived from proceeds the defendant obtained directly or indirectly as a result of such violation.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

Dated: _____

A TRUE BILL

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

Gwendolyn E. Carroll
Assistant United States Attorney